



Rep. Lou Lang

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LRB096 05647 WGH 24581 a

1 AMENDMENT TO HOUSE BILL 2100

2 AMENDMENT NO. _____. Amend House Bill 2100 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Mandatory Overtime Limitation Act.

6 Section 5. Legislative findings and declaration of policy.
7 The purpose of this Act is to reduce excessive amounts of
8 mandatory overtime which increase stresses on family life,
9 jeopardize the health and safety of employees, and undermine
10 the effectiveness of workplace operations.

11 The General Assembly finds that a growing number of
12 Illinois families include 2 working parents or only one
13 custodial parent. These parents often face a daily challenge to
14 balance the demands of their work lives and those of their
15 families. Working a full-time job requires complex child care
16 arrangements or juggling of schedules between spouses. Child

1 care providers or school schedules offer very little
2 flexibility.

3 The General Assembly finds that many employers do not
4 respect the schedules which employees are assigned to work, but
5 instead frequently impose requirements for mandatory overtime
6 with little or no advance notice. Such imposed overtime can
7 prevent employees from picking up children at school or child
8 care centers or require that they leave children home
9 unsupervised. Employees who refuse to work this overtime
10 because of concern for their children's well-being face
11 discipline or discharge.

12 The General Assembly finds that mandatory overtime can also
13 take a toll on the health and safety of employees. Employees
14 who work excessive amounts of overtime often suffer from sleep
15 deprivation and stress-related disorders. This places their
16 own health at risk. It also jeopardizes their coworkers and the
17 quality of the work that they are performing.

18 Section 10. Definitions. As used in this Act:

19 "Employer" means any telecommunications business entity
20 that does business in the State of Illinois.

21 "Overtime" means the hours worked in excess of 48 hours in
22 a week or 12 hours in a 24 hour period.

23 Section 15. Limits on mandatory overtime. If an employee
24 has worked 48 hours in a week, an employer may not require the

1 employee to work additional overtime during that week. If an
2 employee has worked 12 hours in a 24 hour period, an employer
3 may not require the employee to work additional overtime during
4 that 24 hour period. Any additional overtime shall be on a
5 voluntary basis.

6 Section 20. Exceptions. This Act does not apply to:

7 (1) Work performed in response to an emergency declared
8 by the Governor under the laws of the State.

9 (2) An employee whose work is necessary to protect the
10 public health or safety, when the excess overtime is
11 required outside the normal course of business.

12 Any employee who falls under any of these exceptions and
13 who has worked 48 hours in a week or 12 hours in a 24 hour
14 period and who is mandated to work additional overtime by his
15 or her employer during that week or 24 hour period shall be
16 paid at twice his or her regular hourly rate.

17 Section 25. Refusal to work mandatory overtime. The refusal
18 of any employee to accept mandatory overtime may not be grounds
19 for discrimination, dismissal, discharge, retaliation, or an
20 employment decision adverse to the employee.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."